



# News Release

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## **Employee restrooms available to some retail customers as new law takes effect**

*Measure affects patrons with eligible medical conditions; forms are available online*

**OLYMPIA** — A new law that took effect Sunday allows customers with certain medical conditions access to employee restrooms in some retail establishments.

Under a bill adopted by the 2009 Washington Legislature (ESHB 1138), retail establishments must allow customers with eligible medical conditions to use employee restrooms. Customers must show they have an eligible medical condition. The business can deny restroom use when it creates a security risk or an obvious safety risk to either employees or customers.

Eligible medical conditions are those that may require immediate access to a restroom — such as Crohn's disease, ulcerative colitis, or inflammatory bowel diseases. Customers can show that they suffer from an eligible condition using a form provided by the Department of Health. The form must be signed by a health care provider. Customers can also use a card issued by a nonprofit group serving people who suffer from eligible conditions.

Any customer may use an employee restroom when three or more employees are working and there is no customer restroom. Again in this case, a business doesn't have to allow restroom access when it would create a security risk or an obvious safety risk to customers or employees.

Misuse of a form showing evidence of an eligible condition may be punished by a fine of up to \$1,000 or up to 90 days in jail. Wrongfully denying access to an employee restroom may be punished by a fine of up to \$125. The Department of Health has no role in enforcing this law.

[Information about the restroom access law](http://www.doh.wa.gov/hsqa/RestroomAccess/) (<http://www.doh.wa.gov/hsqa/RestroomAccess/>) is available online.

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